

IN THE SENATE

SENATE BILL NO. 1055

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES AND RULES OF THE ROAD; AMENDING SECTION 49-613, IDAHO CODE, TO REVISE PROVISIONS PROHIBITING CERTAIN MATERIALS ON HIGHWAYS, TO PROVIDE FOR EXCEPTIONS AND TO PROVIDE FOR AN INFRACTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-613, Idaho Code, be, and the same is hereby amended to read as follows:

49-613. PUTTING GLASS OR OTHER INJURIOUS MATERIALS ON HIGHWAY PROHIBITED. (1) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal or vehicle upon the highway.

(2) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove that material or cause it to be removed.

(3) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from that vehicle.

(4) No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction.

(5) No person may operate on any public highway any vehicle with any load unless the load and such covering as required thereon by subsection (6) of this section is securely fastened to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

(6) Any vehicle operating on a paved public highway with a load of dirt, sand or gravel susceptible to being dropped, spilled, leaked or otherwise escaping therefrom shall be covered so as to prevent spillage. Covering of such loads is not required if six (6) inches of freeboard is maintained within the load bed.

(7) Nothing in this section may be construed to prohibit a public maintenance vehicle from dropping sand on a highway to enhance traction or sprinkling water or other substances to clean or maintain a highway.

(8) A person who fails to secure a load or part of a load to his or her vehicle in compliance with subsection (4), (5) or (6) of this section is guilty of an infraction.